UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATREASURY CORPORATION,

Plaintiff

v.

WELLS FARGO & COMPANY, ET AL.,

Defendants

2:06-CV-72 DF

SECOND AMENDED DOCKET CONTROL ORDER

Came on this day for consideration, the parties' Joint Unopposed Motion to Modify Amended Docket Control Order and having considered the same, the Court finds that cause exists for the requested modifications. Accordingly, the Court hereby enters the following Second Amended Docket Control Order for this case:

STEP	ACTION	RULE	DATE DUE
1	Initial Case Management Conference	Patent L. R. 2-1 FRCP 26(f)	10/19/06
2	Parties Exchange Initial Disclosures	FRCP 26(a)	12/04/06
3	Patentee serves Disclosure of Asserted Claims and Preliminary Infringement Contentions of less than 50 claims for all patents-in-suit (note the further limitation provided in step 11, *infra*)	Patent L.R. 3-1	12/04/06
4	Patentee makes Document Production Accompanying Disclosure	Patent L.R. 3-2	12/04/06
5	Accused Infringer serves Preliminary Invalidity Contentions	Patent L.R. 3-3	02/05/07
6	Accused Infringer makes Document Production Accompanying Preliminary Invalidity Contentions	Patent L.R. 3-4	02/26/07
7	Parties Exchange any Proposed Terms and Claim Elements for Construction	Patent L.R. 4-1(a)	02/07/07
8	Parties meet and confer to discuss list of Proposed Terms and Claim Elements for Construction	Patent L.R. 4-1(b)	02/09/07
9	Parties make Exchange of Preliminary Claim Constructions and Extrinsic Evidence in Support Respective Claim Constructions	Patent L.R. 4-2(a)	02/26/07
10	Parties meet and confer to discuss Preliminary Claim Constructions and Extrinsic Evidence	Patent L.R. 4-2(c)	03/02/07
11	Patentee shall limit the number of asserted claims to no more than eighteen (18) against a Litigant Group[1] and notify the Court and the accused infringers what ten		04/07/07

[1] The parties inform the Court that a Litigant Group is defined as a defendant bank and, where applicable, the bank's correlative national association or holding company.

	claims are specifically asserted against Litigant Group.		
12	Parties file Joint Claim Construction and Prehearing Statement	Patent L.R. 4-3	04/07/07
13	Parties file Amended Pleadings and join any additional parties		04/07/07
14	Completion of Claim Construction Discovery	Patent L.R. 4-4	04/27/07
15	Patentee files Opening Claim Construction Brief on Claim Construction issues	Patent L.R. 4-5(a)	05/28/07
16	Accused Infringer files Responsive Claim Construction Brief(s) on Claim Construction Issues	Patent L.R. 4-5(b)	07/09/07
17	Patentee files Reply Brief on Claim Construction issues	Patent L.R. 4-5(c)	08/23/07
18	Accused Infringer files Surreply Brief on Claim Construction Issues		09/10/07
19	Parties file Claim Construction Chart	Patent L.R. 4-5(d)	09/14/07
20	Claim Construction Hearing	Patent L.R. 4-6	09/24/07 at 10 a.m. Each side shall have 4 hours to present. The hearing will continue on 9/25/07 if necessary.
21	Court's Claim Construction Ruling		Subject to Court's schedule
22	Patentee makes Final Infringement Contentions	Patent L.R. 3-6(a)	30 days after the Court's Claim Construction Ruling
23	Accused Infringer makes Final Invalidity Contentions	Patent L.R. 3-6(b)	50 days after the Court's Claim Construction Ruling
24	Accused Infringer makes Disclosure Relating to Willfulness	Patent L.R. 3-8	10/01/07
25	Completion of all Remaining Fact Discovery		04/11/08
26	Parties disclose Expert Witnesses and serve Expert Witness Reports	FRCP 26(a)(2)	04/14/08
27	Parties serve Rebuttal Expert Witness Reports		05/12/08
28	Completion of Expert Discovery		05/30/08
29	Deadline for filing all dispositive and summary judgment motions, *Daubert*/FRE 702 Motions and any other Motions to Strike or Limit Expert Testimony		06/02/08
30	Deadline for filing Responses to all dispositive and summary judgment motions and any other Motions to Strike or limit Expert Testimony		07/07/08
31	Deadline for filing Replies regarding all dispositive and summary judgment motions, *Daubert*/FRE 702 Motions, and Motions to Strike or Limit Experts		07/28/08
32	Preliminary Pretrial Conference with Court to Discuss Trial Groupings/Management and Deadlines		07/29/08
33	Deadline for filing Surreplies regarding all dispositive and summary judgment motions, *Daubert*/FRE 702 Motions, and Motions to Strike or Limit Experts		08/18/08
34	Patentee's Pretrial Disclosures	FRCP 26(a)(3)	08/25/08
35	Accused Infringer's Pretrial Disclosures	FRCP 26(a)(3)	09/01/08

36	Parties file Proposed Joint Final Pretrial Order including Proposed Jury Charge, Verdict Forms and Motions in Limine		09/08/08
37	Parties file Responses to Motions in Limine		09/22/08
38	Parties file Replies to Motions in Limine		09/29/08
39	Final Pretrial Conference before Judge David Folsom		10/06/08
40	Jury Selection		TBA

This Docket Control Order shall not be modified except by leave of Court or upon the agreement of all parties and subsequent Court approval.

IT IS SO ORDERED.

SIGNED this 29th day of January, 2007.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE